

June Lake Public Utility District Water Resource Assessment

Technical Memorandum No. 3 Rodeo Grounds Development Water Rights Evaluation

June 2006

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TECHNICAL MEMORANDUM NO. 3

TO: Mr. John Enloe, P.E.
ECO:LOGIC Consulting Engineers

FROM: Paula J. Whealen

DATE: June 7, 2006

RE: **June Lake Public Utility District Water Resource Assessment
Rodeo Grounds Development - Water Rights Evaluation**

This is to provide an evaluation of the appropriative water rights held by the June Lake Public Utility District (JLPUD) in connection with the potential service of the proposed Rodeo Grounds Development. This work is done in accordance with Task B, Sub-Task B.1 of our service agreement dated July 22, 2005. Our work included a review and analysis of the water right files at the State Water Resources Control Board (State Water Board) for JLPUD, evaluation of State Water Board and court decisions that could impact these rights, review of the JLPUD 2004 Master Water Plan Update by Boyle Engineering, and the May 23, 2006 Draft Technical Memorandum No. 2 - Rodeo Grounds Water Demands by Catherine Hansford. We also met with Mindy Pohlman, General Manager of JLPUD to obtain background information on the water system, historic and current water use and facility operation, and to inspect JLPUD's correspondence files pertinent to the appropriative water rights.

The following is an analysis of the various water rights held by or utilized by JLPUD, including the amount of water allowed to be diverted under each right, limitations on diversions, purposes for which the water can be used, the locations where it can be used, the status of each right, and any pending regulatory actions. The analysis also analyzes the adequacy of the water rights with respect to the current and projected demands of JLPUD. Conclusions and

recommendations for acquisition and maintenance of existing rights are provided in Section 2.0. Section 3.0 is a discussion of California water law including the appropriative water right system. A discussion of regional water rights held by other entities that have the potential for being impacted by any future changes in operation of water diversions by JLPUD is set forth in Section 5.0. This Section also includes a brief review of past water right orders and Court decisions that could affect regional water rights.

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1.0 INTRODUCTION

The June Lake Public Utility District (JLPUD) holds five water right Licenses, seven water right Permits, and one pending water right application for the appropriation of surface water from sources located around the Town of June Lake. JLPUD also uses water diverted under three appropriative Licenses and one riparian claim of right held by the United States Inyo National Forest (USINF). The JLPUD and USINF appropriative water rights are under the jurisdiction of the State Water Resources Control Board (State Water Board).

JLPUD uses water diverted pursuant to the water rights for domestic and municipal purposes. The approximate boundary of the JLPUD Service Area, locations of the treatment plants and points of diversion for each of the appropriative rights, and the areas where water can be served under these rights are depicted on Plate 1. JLPUD has two separate water distribution systems; Village System and Down-Canyon System. These two water distribution systems divert water from separate sources and the water is not currently commingled between the two systems. Each distribution system has two water treatment plants. Some of the water diverted pursuant to the water rights is served outside of the JLPUD Service Area.

Four of the water right permits held by JLPUD expired on December 31, 1995 and one permit expired on December 31, 2005. JLPUD filed Petitions for Extensions of Time with the State Water Board on December 23, 2005 for all five water right permits. The Petitions seek to extend the Permits to December 31, 2020 to allow additional time for water to be put to full beneficial use. It is important to note that the Permits remain valid during the processing of the Petitions for Extension of Time, provided JLPUD remains diligent in its pursuit of the Petitions, and continues to report its annual water use to the State Water Board as requested. There are no outstanding court actions on file against any of the water rights.

Presently, JLPUD has approximately 690 water connections which serve approximately 480 permanent residents (about 220 in the Down-Canyon System and about 260 in the Village System).¹ The maximum annual water production for JLPUD for the period of 1990 through

¹ Communications from Mindy Pohlman, General Manager, June Lake Public Utility District, August 23, 2005,
June Lake Public Utility District Water Resource Assessment
Technical Memorandum No. 4 – Rodeo Grounds Development – Surface Water Availability
June 2006

2003 was approximately 477 acre-feet (155.4 million gallons) in the year 2002.² Annual water demand in 2004 for the Village System was 143 acre-feet and in the Down-Canyon System about 235 acre-feet.¹ The planned Rodeo Grounds Development is proposed to be served water by JLPUD under the Village System's existing water rights. The estimated annual demand associated with the planned Rodeo Grounds Development is expected to be 102.4 acre-feet (average of about 91,430 gallons per day).³ The projected build-out demand for the Village System (including the Rodeo Grounds Development) and for the Down-Canyon System is shown below.

<u>System</u>	<u>2004 Use</u> (Acre-Feet)	<u>Projected Build-out Demand</u> (Acre-Feet)
Village	143	394 ³
Down-Canyon	235	400 ¹

September 19, 2005, and May 23, 2006.

² June Lake Public Utility District 2004 Master Water Plan Update, Table 2, August 2004, Boyle Engineering Corporation.

³ Draft Technical Memorandum No. 2, Rodeo Grounds Water Demands, May 23, 2006, Catherine Hansford.

2.0 SUMMARY OF CONCLUSIONS

2.1 Overview of Water Rights

The water rights held by JLPUD and USINF currently provide for a total of about 666 acre-feet annually to be used within the Village System service area, and about 215 acre-feet annually to be used within the Down-Canyon System service area. The amount of water that can be diverted under each water right is expressed as a maximum direct diversion rate from each of the various sources. Tables 1 and 2 summarize the water rights for each System.

Each water right has a specific area designated as the ‘place of use’ where water can be used under that right (see Plate 1). Currently, the place of use for the Village System does not cover the entire proposed Rodeo Grounds Development. Approximately 71 of the 90 total acres of the proposed Rodeo Grounds Development are situated within the Village System place of use, and about 19 acres of the Development are located within the Down-Canyon System place of use. Approval of Petitions to Change the Place of Use from the State Water Board would be required in order to serve the portion of the lands located within the Down-Canyon System with water from the Village System, or vice versa.

2.2 Pending Actions and Potential Limiting Factors

2.2.1 Village System

Four of JLPUD’s Permits in the Village System expired on December 31, 1995. JLPUD filed Petitions for Extension of Time with the State Water Board on December 23, 2005 for each of the four Permits. If the Petitions are approved as filed, JLPUD would have until December 31, 2020 to put the full amount of 666 acre-feet annually under all rights to beneficial use. The Petitions are pending approval with the State Water Board. At this time, we have no reason to believe that the Petitions would not be granted.

If JLPUD had not filed the Petitions, the State Water Board would have issued a license on the maximum amount of water that had been used prior to the expiration date of the Permits. In 2002, the State Water Board inspected JLPUD’s water use and determined that the maximum

annual water use within the Village System under these Permits had been 151 acre-feet, and recommended that the total of the Permitted rights and one of the Licenses be capped at a maximum amount of 151 acre-feet annually. This would have meant that the total amount of water that could be used within the Village System under all rights collectively would have been reduced from 666 acre-feet to 281 acre-feet per annum (151 acre-feet plus the 130 acre-feet under other Licenses). For this reason, JLPUD filed Petitions for Extension of Time for its Permits in order to have an opportunity to increase its annual beneficial use of water.

JLPUD is preparing an environmental document pursuant to the requirements of the California Environmental Quality Act in support of its Petitions and expects to submit its documentation to the State Water Board this year. While the Petitions are being processed by the State Water Board, the expired Permits are considered valid and in good standing provided JLPUD diligently pursues the Petitions and continues to submit its annual water use reports to the State Water Board as requested.

Water demand in the Village System at build out is estimated to be 394 acre-feet, which includes the Rodeo Grounds Development. If the Petitions for Extension of Time are granted by the State Water Board, this full demand at build-out would be covered by the existing water rights on the Village System. However, as stated above, JLPUD would also need to obtain approval from the State Water Board to change the place of use under its Village System rights in order to serve the entire Rodeo Grounds Development under its existing water rights.

2.2.2 Down-Canyon System

One of JLPUD's Permits in the Down-Canyon System for the diversion of water from Fern Creek expired on December 31, 2005. JLPUD filed a Petition for Extension of Time with the State Water Board on December 23, 2005 for the expired Permit. If approved as filed, JLPUD would have until December 31, 2020 to put the full amount of the water allowed under that Permit, 69 acre-feet, to beneficial use. The Petition is pending approval with the State Water Board, and at this time, we have no reason to believe that it would not be granted. If JLPUD had not filed the Petition, the State Water Board would have issued a license on the maximum amount of water that had been used prior to the expiration date of the Permit.

JLPUD is preparing an environmental document pursuant to the requirements of the California Environmental Quality Act in support of its Petition and expects to submit its documentation to the State Water Board this year. While the Petition is being processed by the State Water Board, the expired Permit is considered valid and in good standing provided JLPUD diligently pursues the Petition and continues to submit its annual water use report to the State Water Board as requested.

All of the Licenses and Permits within the Down-Canyon System contain a term requiring a minimum flow bypass of 200 gallons per minute at the diversion facility on Fern Creek for instream uses. As discussed in more detail in Technical Memorandum No. 4, the available flow data for Fern Creek for September 2004 to April 2005 indicates that the minimum bypass flow on Fern Creek was not being met while diversions were being made during portions of that period. If the condition were to continue, JLPUD would be out of compliance with its Licenses and Permits, which could jeopardize their good standing with the State Water Board. This determination could be made after an inspection by State Water Board staff, possibly in connection with the pending Petition or pending Application. The non-compliance could result in the assessment of a fine or ultimately in an order to cease and desist diversion.

In connection with the resolution of a protest filed by Los Angeles Department of Water and Power (LADWP) against JLPUD's pending water right Application 28609 in the Down-Canyon System, JLPUD agreed to the following term:

"The average water use from January 1 to December 31 under this permit and Licenses 2039, 4358, 10837 and 10838 (Applications 5425, 9432, 17120 and 20349, respectively) and Permit 18199, 7350 and 7352 (Applications 26192, 11892 and 12060, respectively) shall not exceed 65 gallons per day per capita." ⁴

This term would not be effective until a water right Permit is issued on JLPUD's pending water right Application 28609, but it would severely limit the maximum amount of water that could be diverted in the future for use within the Down-Canyon System Service Area. This limitation term as written would be very difficult for the State Water Board to enforce due to the transient population of the area. The total amount of water that could be appropriated each year would vary depending on how 'capita' is determined at any given time during the year.

⁴ Letter from JLPUD to State Water Board dated May 31, 1996 and letter from State Water Board to LADWP dated

Current average day demand in 2004 was 208,000 gallons per day (about 235 acre-feet annually), to serve a permanent population of about 220 persons.¹ This translates to an annual use of about *945 gallons per day per capita*. The proposed limitation of 65 gallons per day per capita would be insufficient to satisfy even the current demand. We believe it would be in the best interest of JLPUD to reevaluate its agreement with LADWP and attempt to negotiate a more realistic protest resolution that takes into account projected demands of the area.

Currently, the Permits and Licenses for the Down-Canyon System provide for a total diversion amount of 215.2 acre-feet per annum. This amount is *inadequate* to meet the current demand in Down-Canyon, which was 281 acre-feet in 2002, and 235 acre-feet in 2004.² The additional 150 acre-feet of water that could be diverted if a Permit is granted on Application 28609 would increase the total annual amount for the Down-Canyon System to a maximum of 365.2 acre-feet. Clearly, the Down-Canyon System requires some portion of the additional water that would be made available under Application 28609 to meet even its current demands, notwithstanding potential limitations resulting from the LADWP agreement.

The demand at build-out of the Down-Canyon System was estimated in the JLPUD Master Water Plan Update as 468 acre-feet annually.⁵ Mindy Pohlman indicated that the build out estimate was overstated since the actual developable area of Silver Lake Meadows within the Down-Canyon System is only 38 acres, not 75 acres as stated in the Master Water Plan Update.¹ This change would reduce the annual demand at build-out from 468 to 400 acre-feet, based on the unit demand value used in the Master Water Plan Update, 1,652 gallons per day per acre. However, the revised demand of 400 acre-feet is *still greater* than the maximum annual amount available under the Down-Canyon water rights, even if Application 28609 was approved.

If pending Application 28609 is approved, a portion of the projected build-out demand of 400 acre-feet could be met under the Down-Canyon water rights. It is conceivable that some piece of the Rodeo Grounds Development demand could be served, however, that would depend

June 25, 1996.

⁵ June Lake Public Utility District, 2004 Master Water Plan Update, Table 13, August 2004, Boyle Engineering Corporation

on the timing of the development of other projects and their respective demands within the Down-Canyon System.

2.3 Summary of Water Rights and Demands

The following table sets forth the 2004 use, the build-out demands for the Village System (which includes the Rodeo Grounds Development) and the Down-Canyon System, and the water rights currently available and potentially available in the future.

<u>System</u>	<u>2004 Use (Acre-Feet)</u>	<u>Build-out Demand (Acre-Feet)</u>	<u>Total Water Rights Currently Available⁶ (Acre-Feet)</u>	<u>Potential Total Water Rights Available (Acre-Feet)</u>
Village	143	394	666	666
Down-Canyon	235	400	215.2	365.2 ⁷

The pertinent JLPUD water rights are set forth in Tables 1 and 2. The parameters associated with each right are discussed in more detail in Section 4. A discussion of California Water Law applicable to the rights held and/or sought by JLPUD and USINF is provided in Section 3.

2.4 Recommendations

We offer the following recommendations for the acquisition and maintenance of JLPUD's appropriative water rights.

- ♦ Continue to file the required tri-annual Reports of Licensee and annual Progress Reports by Permittee when requested by the State Water Board.
- ♦ Keep accurate meter records to determine the amount of water diverted from each source on a monthly basis.

⁶ Assumes pending Petitions for Extension of Time will be approved by the State Water Board.

⁷ This amount is the maximum that would be available if Application 28609 is approved.

- ♦ Develop an accounting of how much water is diverted under each appropriative right from each source.
- ♦ Insure compliance with minimum bypass term on Fern Creek.
- ♦ Prepare the required environmental document and diligently pursue the Petitions for Extension of Time.
- ♦ Investigate seeking approval from the State Water Board to change the place of use to include the entire Rodeo Grounds Development under the Village System water rights.
- ♦ Consider and investigate the development of an alternate water source of water that could serve the portion of the Rodeo Grounds Development located outside the Village System place of use.
- ♦ Reevaluate the agreement with LADWP with regard to the per capita limitation under the Down-Canyon System water rights and consider renegotiating a permit term that is more consistent with projected future demands.

3.0 CALIFORNIA WATER RIGHTS

California law divides water into two categories for purposes of regulation, surface water and percolating groundwater. Surface water flowing in a water course, the supporting underflow of a surface stream, and subterranean water flowing in known and definite channels are all subject to the jurisdiction of the State Water Resources Control Board (State Water Board). Percolating groundwater, which is defined as water traveling in a diffused manner through the substrata that has escaped so far from any watercourse so as to have no hydraulic continuity to the surface flow, is not subject to the jurisdiction of the State Water Board.

3.1 Appropriative Water Rights

Since December 19, 1914, the appropriation of water in surface streams, the underflow of surface streams, and subterranean water flowing through known and definite channels have been governed by statutes enacted pursuant to the California Water Commission Act. The diversion of such water directly onto lands that are not riparian to the source, or for storage in a reservoir, requires an appropriative water right permit from the State Water Board. An appropriative water right carries a priority in relation to other appropriative rights. The water user who is “first in time” is “first in right”. This means the senior user is entitled to the full amount of water specified under the right before junior appropriators may exercise their rights. An appropriative water right permit from the State Water Board is required to divert water during the winter months for storage in an on-stream or off-stream storage facility for longer than 30 days. Water diverted under appropriative right can be used anywhere on the property named in the licensed or permitted place of use for any stated beneficial purpose.

The statutory process for acquiring an appropriative water right is initiated by filing an application with the State Water Board. Legally no diversion of water or development of the place of use requiring such water can begin until a permit has been issued. Applications can be protested by downstream right holders claiming injury to valid prior rights, and by environmental groups and/or regulatory agencies who believe the project may have a significant adverse environmental impact. Upon resolution of all protests and completion and circulation of

an environmental document meeting the requirements of the California Environmental Quality Act, a water right permit will be issued. The permit authorizes the Permittee to begin constructing the project, developing the place of use, and diverting and using the water.

3.2 Riparian Rights

A riparian right usually attaches to land bordering a stream, lake, or pond, and has a higher priority than most appropriative rights. Riparian owners may use the natural flow of the stream directly for beneficial purposes on riparian land without a permit. Riparian water may be “stored” for a period of up to 30 days for regulatory purposes. During times of low flow, riparian water must be shared equitably by the various riparian diverters on a particular watercourse, each in accordance with their needs. Disputes between riparian diverters are settled in the courts.

The riparian status of a parcel of land is limited by four constraints:

- 1) the land in question must be contiguous to or abut upon the stream, except in those cases in which the right has been specifically preserved for parcels separated from a larger original riparian parcel;
- 2) the riparian right extends only to the smallest tract held under one title in the chain-of-title leading to the present owner;
- 3) the land must be within the watershed of the stream; and
- 4) water diverted under riparian right cannot be foreign in time or source. In other words, water in the stream which was stored during the previous water storage season and subsequently released during the following irrigation season, or water which is introduced to the stream from another source, cannot be diverted under riparian rights.

A legal opinion of the riparian status of a parcel requires a complete chain-of-title for the land in question extending from the original patent to the present owner. However, one can generally get a rough idea of a parcel's riparian status by comparing the original patent maps, the current assessor parcel maps and the location of the watercourse in question. Use of water under riparian claim does not require a water right permit, but a record of such use should be established by filing a Statement of Water Diversion and Use with the State Water Board after the project has been developed and the water put to beneficial use.

4.0 SUMMARY OF APPROPRIATIVE WATER RIGHTS

4.1 Village System

There are a total of eight appropriative water right Permits and Licenses applicable to the Village System service area, five are held by JLPUD, and three are held by USINF for use within JLPUD. Water is diverted from Snow Creek (Twin Springs Creek) and from June Lake for use in the Village System service area. The water diverted from Snow Creek is treated at the Snow Creek Water Treatment Plant, and the June Lake Treatment Plant treats all diversions made from June Lake. Collectively, the Licenses and Permitted rights provide for a total diversion of about 666 acre-feet annually (an average of about 595,000 gallons per day from January 1 through December 31). There is also a Statement of Water Diversion and Use held by USINF for the diversion of water under claim of riparian right, which claims additional use of about 2 acre-feet (approximately 4,000 gallons per day from May through October). The oldest right in the Village System is the License held by USINF which has a priority date of April 29, 1929.

The location of each of the Village System water rights are shown on Plate 1 and summarized in Table 1. Copies of the Licenses, Permits, Statement, and most recent Reports of Licensee and Progress Reports by Permittee filed with the State Water Board for each right are contained in Appendix A of this report. A detailed summary of each right commences on the following page.

License 2056 (Application 6242)

Owner Name: U.S. Inyo National Forest

Priority Date: April 9, 1929

Source: Snow Creek (Twin Springs Creek) tributary to Reversed Creek;
June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 8,615 gallons per day (about 4.9 acre-feet annually)

Season: May 1 through October 31

Purpose: Domestic

Place of Use: Village System Service Area (shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from June Lake and Snow Creek that serves the Village System Service Area. Water diverted from Snow Creek is treated for use at the Snow Creek Water Treatment Plant and water diverted at June Lake is treated at the June Lake Water Treatment Plant.

Status: License 2056 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by USINF and are current.

License 5354 (Application 9907)

Owner Name: U.S. Inyo National Forest

Priority Date: May 23, 1940

Source: Snow Creek (Twin Springs Creek) tributary to Reversed Creek;
June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.163 cubic feet per second (about 118 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic and Municipal

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from June Lake and Snow Creek that serves the Village System Service Area. Water diverted from Snow Creek is treated for use at the Snow Creek Water Treatment Plant and water diverted at June Lake is treated at the June Lake Water Treatment Plant.

Status: License 5354 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by USINF and are current.

License 5355 (Application 14059)

Owner Name: U.S. Inyo National Forest

Priority Date: November 16, 1950

Source: Snow Creek (Twin Springs Creek) tributary to Reversed Creek;
June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 6,500 gallons per day (about 7.3 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic and Municipal

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from June Lake and Snow Creek that serves the Village System Service Area. Water diverted from Snow Creek is treated for use at the Snow Creek Water Treatment Plant and water diverted at June Lake is treated at the June Lake Water Treatment Plant.

Status: License 5355 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by USINF and are current.

License 6020 (Application 16687)

Owner Name: June Lake Public Utility District

Priority Date: October 24, 1955

Source: Snow Creek (Twin Springs Creek) tributary to Reversed Creek;
June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.047 cfs for domestic and municipal (about 34 acre-feet annually) or 0.34 cfs for domestic, municipal and fire protection (about 246 acre-feet annually)*

**The total amount of water that can be diverted under Applications 16687, 27220, 27239, 28123 and 28124 shall not exceed 0.74 cfs for a total of 536 acre-feet/annum from all sources.*

Season: January 1 through December 31

Purpose: Domestic, Municipal and Fire Protection

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from June Lake and Snow Creek that serves the Village System Service Area. Water diverted from Snow Creek is treated for use at the Snow Creek Water Treatment Plant and water diverted at June Lake is treated at the June Lake Water Treatment Plant.

Status: License 6020 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by JLPUD and are current.

Permit 19655 (Application 27220)

Owner Name: June Lake Public Utility District

Priority Date: February 26, 1982 *Permit Expiration:* December 1, 1995

Source: Snow Creek (Twin Springs Creek) tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.4 cubic feet per second (about 290 acre-feet annually)*

**The total amount of water that can be diverted under Applications 16687, 27220, 27239, 28123 and 28124 shall not exceed 0.74 cfs for a total of 536 acre-feet/annum from all sources.*

Season: January 1 through December 31

Purpose: Municipal

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from Snow Creek that serves the Village System Service Area. Water diverted from Snow Creek is treated for use at the Snow Creek Water Treatment Plant.

Permit 19656 (Application 27239)

Owner Name: June Lake Public Utility District

Priority Date: March 9, 1982 *Permit Expiration:* December 1, 1995

Source: June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.4 cubic feet per second (about 290 acre-feet annually)*

**The total amount of water that can be diverted under Applications 16687, 27220, 27239, 28123 and 28124 shall not exceed 0.74 cfs for a total of 536 acre-feet/annum from all sources.*

Season: January 1 through December 31

Purpose: Municipal

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from June Lake that serves the Village System Service Area. Water diverted from June Lake is treated for use at the June Lake Water Treatment Plant.

Permit 19657 (Application 28123)

Owner Name: June Lake Public Utility District

Priority Date: April 26, 1984

Permit Expiration: December 1, 1995

Source: Snow Creek (Twin Springs) tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.293 cubic feet per second (about 212 acre-feet annually)*

**The total amount of water that can be diverted under Applications 16687, 27220, 27239, 28123 and 28124 shall not exceed 0.74 cfs for a total of 536 acre-feet/annum from all sources.*

Season: January 1 through December 31

Purpose: Municipal

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from Snow Creek that serves the Village System Service Area. Water diverted from Snow Creek is treated for use at the Snow Creek Water Treatment Plant.

Permit 19658 (Application 28124)

Owner Name: June Lake Public Utility District

Priority Date: April 26, 1984

Permit Expiration: December 1, 1995

Source: June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.293 cubic feet per second (about 212 acre-feet annually)*

**The total amount of water that can be diverted under Applications 16687, 27220, 27239, 28123 and 28124 shall not exceed 0.74 cfs for a total of 536 acre-feet/annum from all sources.*

Season: January 1 through December 31

Purpose: Municipal

Place of Use: Village System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from June Lake that serves the Village System Service Area. Water diverted from June Lake is treated for use at the June Lake Water Treatment Plant.

Status of Permits 19655, 19656, 19657 and 19658:

These Permits expired on December 31, 1995. JLPUD filed Petitions for Extension of Time for each Permit with the State Water Board on December 23, 2005. The Petitions seek to extend the time to December 31, 2020 in order to make full beneficial use under its Permits. While the

Petitions are being processed by the State Water Board, the Permits are considered valid and diversion of water can continue provided JLPUD continues to diligently pursue its Petitions and continues to report its water use to the State Water Board as requested. JLPUD files the annual Progress Reports by Permittee for these rights and they are current.

Statement of Water Diversion and Use 10963

Owner Name: U.S. Inyo National Forest

Filing Date: October 27, 1981 *Year of First Use:* 1974

Source: June Lake tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount Used: Approximately 2 acre-feet per year claimed as being used.

Season: May through October

Purpose: Domestic

Place of Use: Campgrounds located around June Lake

Description: Water is diverted pursuant to claim of riparian right through the JLPUD diversion facility on June Lake and is treated at the June Lake Treatment Plant. Use of water under this claim is for the domestic use in the campgrounds located around June Lake that are managed by the U.S. Inyo National Forest (USINF). The amount of water reported as being used under this claim of right has been about 2 acre-feet per year. The amount of water that can be claimed is only limited by the amount that can be beneficially used for these purposes. Tri-annual Supplemental Statements of Water Diversion and Use are filed by USINF and are current.

4.2 Down-Canyon System

There are a total of eight appropriative water right Licenses, Permits and an Application applicable to the Down-Canyon System service area and held in the name of JLPUD. Water is diverted from Fern Creek and an unnamed stream for use in the Down-Canyon System. Water that is diverted from Fern Creek is treated for use at the Clark Water Treatment Plant, and the Petersen Water Treatment Plant treats diversions made from the unnamed streams and springs. Collectively, the Licensed and Permitted rights provide for a total diversion of about 215.2 acre-feet annually (an average of about 192,000 gallons per day from January 1 through December 31). The oldest right for use in the Down-Canyon System has a priority date of April 22, 1927.

The location of each of the Down-Canyon System water rights are shown on Plate 1 and summarized in Table 2. Copies of the Licenses and Permits, and the most recent Reports of Licensee and Progress Reports by Permittee filed with the State Water Board for each right are contained in Appendix B of this report. Following is a detailed discussion of each right.

License 2039 (Application 5425)

Owner Name: June Lake Public Utility District

Priority Date: April 22, 1927

Source: Unnamed Spring tributary to Reversed Creek
Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 3,000 gallons per day (about 3.4 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic, Municipal

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area. Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant.

There is a condition in the License that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: License 2039 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by JLPUD and are current.

License 4358 (Application 9432)

Owner Name: June Lake Public Utility District

Priority Date: October 4, 1938

Source: Unnamed Spring tributary to Reversed Creek;
Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 16,000 gallons per day (about 18 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic, Municipal

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area. Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant.

There is a condition in the License that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: License 4358 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by JLPUD and are current.

Permit 7350 (Application 11892)

Owner Name: June Lake Public Utility District

Priority Date: May 23, 1947 *Permit Expiration:* December 1, 2005

Source: An Unnamed Stream and three Unnamed Springs tributary to Reversed Creek;
Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 62,000 gallons per day (about 69 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic, Municipal

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area.

Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant. The Permit also allows water to be diverted from an additional unnamed stream and two unnamed springs (see Plate 1), but diversion facilities at these locations have not been constructed.

There is a condition in the Permit that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: JLPUD filed a Petition for Extension of Time with the State Water Board on December 23, 2005. The Petition seeks to extend the time to December 31, 2020 in order to make full beneficial use under its Permits. While the Petition is being processed by the State Water Board, Permit 7350 is considered valid and diversion of water can continue provided JLPUD continues to diligently pursue the Petition and continues to report its water use to the State Water Board as requested. Annual Progress Reports by Permittee are filed by JLPUD and are current.

Permit 7352 (Application 12060)

Owner Name: June Lake Public Utility District

Priority Date: August 28, 1948

Permit Expiration: December 1, 2010

Source: An Unnamed Stream and two Unnamed Springs tributary to Reversed Creek; Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.13 cubic feet per second (about 94 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area. Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant. The Permit also allows water to be diverted from an additional unnamed stream and unnamed spring (see Plate 1), but diversion facilities at these locations have not been constructed.

There is a condition in the Permit that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: Permit 7352 expires on December 1, 2010. In its 2004 Progress Report by Permittee filed with the State Water Board, JLPUD indicated that the project was complete and requested that an inspection be made to determine the amount of water put to beneficial use. The inspection has not yet been made by the State Water Board. JLPUD still has an additional five years to increase the maximum amount of water diverted annually pursuant to this Permit, or to file a Petition for an Extension of Time. Annual Progress Reports by Permittee are filed by JLPUD and are current.

License 10837 (Application 17120)

Owner Name: June Lake Public Utility District

Priority Date: June 8, 1956

Source: Unnamed Spring tributary to Reversed Creek;
Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 13,000 gallons per day (a maximum of 4.2 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area. Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant.

There is a condition in the License that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: License 10837 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by JLPUD and are current.

License 10838 (Application 20349)

Owner Name: June Lake Public Utility District

Priority Date: August 14, 1961

Source: Unnamed Spring tributary to Reversed Creek;
Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 15,000 gallons per day (a maximum of 4.9 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area. Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant.

There is a condition in the License that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: License 10838 is in good standing with the State Water Board. Tri-annual Reports of Licensee are filed by JLPUD and are current.

Permit 18199 (Application 26192)

Owner Name: June Lake Public Utility District

Priority Date: January 31, 1980 *Permit Expiration:* December 31, 2008

Source: Unnamed Spring tributary to Reversed Creek;
Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.03 cubic feet per second (a maximum of 21.7 acre-feet annually)

Season: January 1 through December 31

Purpose: Domestic

Place of Use: Down-Canyon System Service Area (as shown on Plate 1)

Description: This right is part of the aggregate amount of water diverted from the Unnamed Spring and Fern Creek that serves the Down-Canyon System Service Area. Water diverted from the Unnamed Spring is treated for use at the Petersen Water Treatment Plant and water diverted from Fern Creek is treated at the Fern Creek Treatment Plant.

There is a condition in the Permit that requires a minimum bypass of 200 gallons per minute at the diversion on Fern Creek at all times diversions are being made. A device for measuring and recording bypass flows is currently in place and operating. However, as set forth in greater detail in Technical Memorandum No. 4, JLPUD may not be meeting the minimum bypass condition at all times water is being diverted.

Status: Permit 18199 expires on December 31, 2008. In its 2004 Progress Report by Permittee filed with the State Water Board, JLPUD indicated that the project was complete and requested that an inspection be made to determine the amount of water put to beneficial use. The inspection has not yet been made by the State Water Board. JLPUD still has an additional three years to increase the maximum amount of water diverted annually pursuant to this Permit, or to file a Petition for Extension of Time. Annual Reports of Permittee are filed by JLPUD and are current.

Application 28609 (Pending)

Owner Name: June Lake Public Utility District

Priority Date: October 31, 1985

Source: Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake

Amount: 0.3 cubic feet per second (a maximum of 150 acre-feet annually)

Season: January 1 through December 31

Purpose: Municipal

Place of Use: A portion of the Down-Canyon System Service Area (as shown on Plate 1). The place of use named in Application 28609 is a smaller area than the place of use named in Applications 5425, 9432, 11892, 12060, 17120, 20349 and 26192.

Description: This Application requests additional diversion of up to 150 acre-feet from Fern Creek for use in a portion of the Down-Canyon System Service Area. JLPUD has agreed to the inclusion of the term requiring the minimum bypass of 200 gallons per minute at the diversion on Fern Creek. A device for measuring and recording bypass flows is currently in place and operating.

In 1996, JLPUD agreed to a term to be included in any permit issued Application 28609 in order to resolve the protest filed by Los Angeles Department of Water and Power. The term is as follows:

“The average water use from January 1 to December 31 under this permit and Licenses 2039, 4358, 10837 and 1838 (Applications 5425, 9432, 17120 and 2349, respectively) and Permits 18199, 7350 and 7352 (Applications 26192, 11892 and 12060, respectively) shall not exceed 65 gallons per day per capita.”

This term as written would be very difficult for the State Water Board to enforce since the population within the Down-Canyon System Service Area changes from month to month, based on the time of year. However, as discussed in Section 2.2.2 herein, implementation of this term would severely impact the maximum amount of water that could be diverted in the future for use within the Down-Canyon System Service Area.

Status: The Application is still pending approval at the State Water Board. JLPUD issued a Negative Declaration on June 22, 2005 for the project named in Application 28609. It is unknown at this time when the State Water Board will act on issuance of a permit.

5.0 OTHER PERTINENT WATER RIGHTS IN REGION

5.1 Reversed Creek System

All of the JLPUD rights and USINF rights named herein that are used to serve the Village and Down-Canyon Systems are located on sources within the Reversed Creek watershed. June Lake is essentially the headwaters of Reversed Creek. Gull Lake, also located on Reversed Creek, is immediately downstream of June Lake. Reversed Creek ends approximately two miles downstream of Gull Lake, at its confluence with Rush Creek. The water sources for the JLPUD water rights are June Lake, Fern Creek, Snow Creek (formerly Twin Springs), and an Unnamed Spring, all of which are tributary to Reversed Creek.

5.1.1 U.S. Inyo National Forest Rights

The State Water Board files do not show any other appropriative water rights located on Reversed Creek downstream of the JLPUD rights. There is one claim of water right on the Reversed Creek watershed upstream from JLPUD's point of diversion on Snow Creek. The U.S. Inyo National Forest holds Statement of Water Diversion and Use No. 10213 for the diversion of water from Snow Creek. Water diversions made pursuant to this right generally occur from October through April and water is used for domestic and snowmaking purposes at the June Lake Ski Resort. The State Water Board files indicate that the diversion commenced in 1960 and that the use is 0.05 cubic feet per second, or about 21 acre-feet annually.

As stated in Section 3 herein, riparian rights generally have a priority over appropriative rights (assuming the claim of riparian right is valid). The U.S. Inyo National Forest's diversion of water in Snow Creek has the potential for limiting the amount of water available to JLPUD at its diversion facility on Snow Creek. However, the diversions have been made for over 40 years, and any such impacts would likely have already been identified. Further, diversions made under claim of riparian right can only be for the amount of water that can be beneficially used on those riparian lands. Unless June Lake Ski Resort changes the nature of its operation such that annual water demands drastically increase, it is unlikely that this diversion would have the capability to impact the JLPUD rights on Snow Creek.

5.2 Rush Creek System

There are three lakes on Rush Creek downstream of Reversed Creek: Silver Lake, Grant Lake and Mono Lake. Silver Lake is located approximately one-half mile downstream of the confluence with Reversed Creek, and Grant Lake is located about two miles downstream of Silver Lake. Rush Creek exits Grant Lake and runs some 9 miles downstream until it terminates in Mono Lake. These facilities are shown on Plate 2. There are only four water rights located on the Rush Creek system that have the potential for being impacted by diversions made under JLPUD water rights.

5.2.1 U.S. Inyo National Forest Rights

At the upstream end of Silver Lake, the U.S. Inyo National Forest diverts water from Silver Lake pursuant to claim of riparian right under Statement of Water Diversion and Use No. 10214. Water is diverted from Silver Lake from May through October for uses in the rest area and parking lot next to the Lake. State Water Board records indicate that water use began in 1960 and the stated use is 540 gallons per day, or about 0.3 acre-feet per year.

The U.S. Inyo National Forest also diverts water from the upstream end of Grant Lake under Statement of Water Diversion and Use No. 10215 pursuant to a claim of riparian right. Water is diverted from Grant Lake from May through October for use at the viewpoint area and parking lot. The files at the State Water Board indicate that water use began in 1975 and the stated use is 711 gallons per day, or about 0.4 acre-feet per year. The location of these diversions is shown on Plate 2. Since riparian rights generally have priority over appropriative rights, JLPUD is precluded from interfering with those diversions. However, based on the location and magnitude of the diversions, we believe it highly unlikely that either of the U.S. Inyo National Forest diversions would be impacted by diversions made under JLPUD existing rights. JLPUD's required bypass of 200 gallons per minute on Fern Creek would be enough water to satisfy those prior rights.

5.2.2 Los Angeles Department of Water and Power Rights

Los Angeles Department of Water and Power (LADWP) holds two water rights on Rush Creek at Grant Reservoir, License 10191 (Application 8042) and Statement of Water Diversion and Use 1666. License 10191 allows for the diversion of water from Rush Creek and from three other adjoining watersheds. Water can be diverted from Rush Creek at a rate of 88.1 cubic feet per second year around for a maximum of 46,700 acre-feet annually for municipal purposes in the City of Los Angeles. LADWP also holds Statement of Water Diversion and Use No. 1666 for its claim of pre-1914 right for diversion from Rush Creek. The year of first use was 1895 and the right claimed is 75 cubic feet per second. Water diverted by LADWP from Rush Creek is conveyed via tunnel and aqueduct to the Owens Valley where it is rediverted through a series of reservoirs and transmission systems to the City of Los Angeles. The location of the points of diversion for License 10191 and Statement 1666 are shown on Plate 2.

In 1979, the National Audubon Society, the Mono Lake Committee and others filed the first in a series of lawsuits that challenged LADWP's water diversions in the Mono Basin, including those made pursuant to License 10191. The resulting court decisions, including the 1983 Superior Court Decision 33 Cal. 3d 419, determined that the responsible body (the State Water Board) should reconsider the allocation of water from the Mono Basin streams, since the original rights were granted without consideration of public trust resources. JLPUD and other entities within the Mono Basin were named as cross-defendants in the lawsuit; however, in 1988 they were dismissed by the Plaintiff in the case, National Audubon Society, et al.

As directed in the 1983 Superior Court Decision, the State Water Board issued Decision 1631 in 1994 which established minimum flow requirements to be met by LADWP for the purposes of maintaining fishery resources downstream of its diversions and restoring Mono Lake levels. Subsequent State Water Board Order 98-05 directed implementation of LADWP's "Mono Basin Stream and Stream Channel Restoration Plan". LADWP continues to operate its diversions under the conditions established in Decision 1631 and Order 98-05.

While JLPUD water rights were unaffected by the terms of Decision 1631, its water right priority with respect to LADWP is unchanged. JLPUD water right Licenses 2039 and 2056

(Applications 5425 and 6242), totaling 187.4 acre-feet, are senior in priority to LADWP's License 10191. However, the remainder of the JLPUD rights are junior in priority. This means that LADWP has standing to protest changes to JLPUD's junior water rights to the extent they believe such changes may impact their rights. As discussed herein, LADWP protested JLPUD's pending Application 28609 and requested a diversion limitation term for resolution of the protest. It is likely that LADWP will file protests against any changes or extensions associated with the junior JLPUD rights as there will be a concern that upstream diversions could increase and affect LADWP's ability to comply with the requirements of Decision 1631 and Order 98-05.

Table 1
June Lake Public Utility District
Pertinent Water Rights ¹
Village System Water Service Area

Application #	Permit / License	Priority Date	Name	Source	Direct Diversion Rate	Diversion Season	No. of Days for Diversion	Total Direct Diversion Amount (acre-feet)	Purpose
A006242	L002056	4/29/29	U.S. Inyo Nat. Forest	Snow Creek (Twin Springs Cr.) trib to Reversed Cr. June Lake trib to Reversed Cr.	8,615 gpd	5/1 - 10/31	184	4.9	Dom
A009907	L005354	5/23/40	U.S. Inyo Nat. Forest	Snow Creek (Twin Springs Cr.) trib to Reversed Cr. June Lake trib to Reversed Cr.	0.163 cfs	1/1 - 12/31	365	118	Dom, Muni
A014059	L005355	11/16/50	U.S. Inyo Nat. Forest	Snow Creek (Twin Springs Cr.) trib to Reversed Cr. June Lake trib to Reversed Cr.	6500 gpd	1/1 - 12/31	365	7.3	Dom, Muni
A016687	L006020	10/24/55	June Lake PUD	Snow Creek (Twin Springs Cr.) trib to Reversed Cr. June Lake trib to Reversed Cr.	0.34 cfs	1/1 - 12/31	365	34 ²	Dom, Muni (0.047 cfs) Dom, Muni, Fire (0.34 cfs)
A027220	P019655	2/26/82	June Lake PUD Expired 12-31-95 ³	Snow Creek (Twin Springs Cr.) trib to Reversed Cr.	0.4 cfs	1/1 - 12/31	365	290 ²	Muni
A027239	P019656	3/9/82	June Lake PUD Expired 12-31-95 ³	June Lake trib to Reversed Cr.	0.4 cfs	1/1 - 12/31	365	290 ²	Muni

Table 1
June Lake Public Utility District
Pertinent Water Rights ¹
Village System Water Service Area

Application #	Permit / License	Priority Date	Name	Source	Direct Diversion Rate	Diversion Season	No. of Days for Diversion	Total Direct Diversion Amount (acre-feet)	Purpose
A028123	P019657	4/26/84	June Lake PUD Expired 12-31-95 ³	Snow Creek (Twin Springs Cr.) trib to Reversed Cr.	0.293 cfs	1/1 - 12/31	365	212 ²	Muni
A028124	P019658	4/26/84	June Lake PUD Expired 12-1-95 ³	June Lake trib to Reversed Cr.	0.293 cfs	1/1 - 12/31	365	212 ²	Muni
Sub Total								666.2 af ²	
Statement 10963			U.S. Inyo Nat. Forest	June Lake trib to Reversed Cr.	+/-4000 gpd	5/1 - 10/1	154	2	Dom
Total								668.2 af	

⁽¹⁾ Information obtained from State Water Resources Control Board files for referenced rights.

⁽²⁾ Maximum diversion amount under Applications 16687, 27220, 27239, 28123 and 28124 limited to a diversion rate of 0.74 cfs for a total of 536 acre-feet/annually from all sources.

⁽³⁾ JLPUD filed a Petition for Extension of Time with the State Water Board on December 23, 2005.

Table 2
June Lake Public Utility District
Pertinent Water Rights ¹
Down-Canyon Water Service Area

Application #	Permit / License	Priority Date	Name	Source	Direct Diversion Rate	Diversion Season	No. of Days for Diversion	Total Direct Diversion Amount (acre-feet)	Purpose
A005425	L002039	4/22/27	June Lake PUD	Unnamed Sp. trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	3000 gpd	1/1 - 12/31	365	3.4 ²	Dom, Muni
A009432	L004358	10/4/38	June Lake PUD	Unnamed Sp. trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	16,000 gpd	1/1 - 12/31	365	18 ²	Dom, Muni
A011892	P007350	5/23/47	June Lake PUD Expired 12-1-05 ³	Fern Cr. Trib to Reversed Cr. Unnamed St. trib to Reversed Cr. Two Unnamed Sp. trib to Reversed Cr.	62,000 gpd	1/1 - 12/31	365	69 ²	Dom
A012060	P007352	8/28/48	June Lake PUD Expires 12-1-10	Unnamed St. trib to Reversed Cr. Unnamed Sp. Trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	0.13 cfs	1/1 - 12/31	365	94 ²	Dom
A017120	L010837	6/8/56	June Lake PUD	Unnamed Sp. trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	13,000 gpd	1/1 - 12/31	365	4.2 ²	Dom
A020349	L010838	8/14/61	June Lake PUD	Unnamed Sp. trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	15,000 gpd	1/1 - 12/31	365	4.9 ²	Dom

Table 2
June Lake Public Utility District
Pertinent Water Rights ¹
Down-Canyon Water Service Area

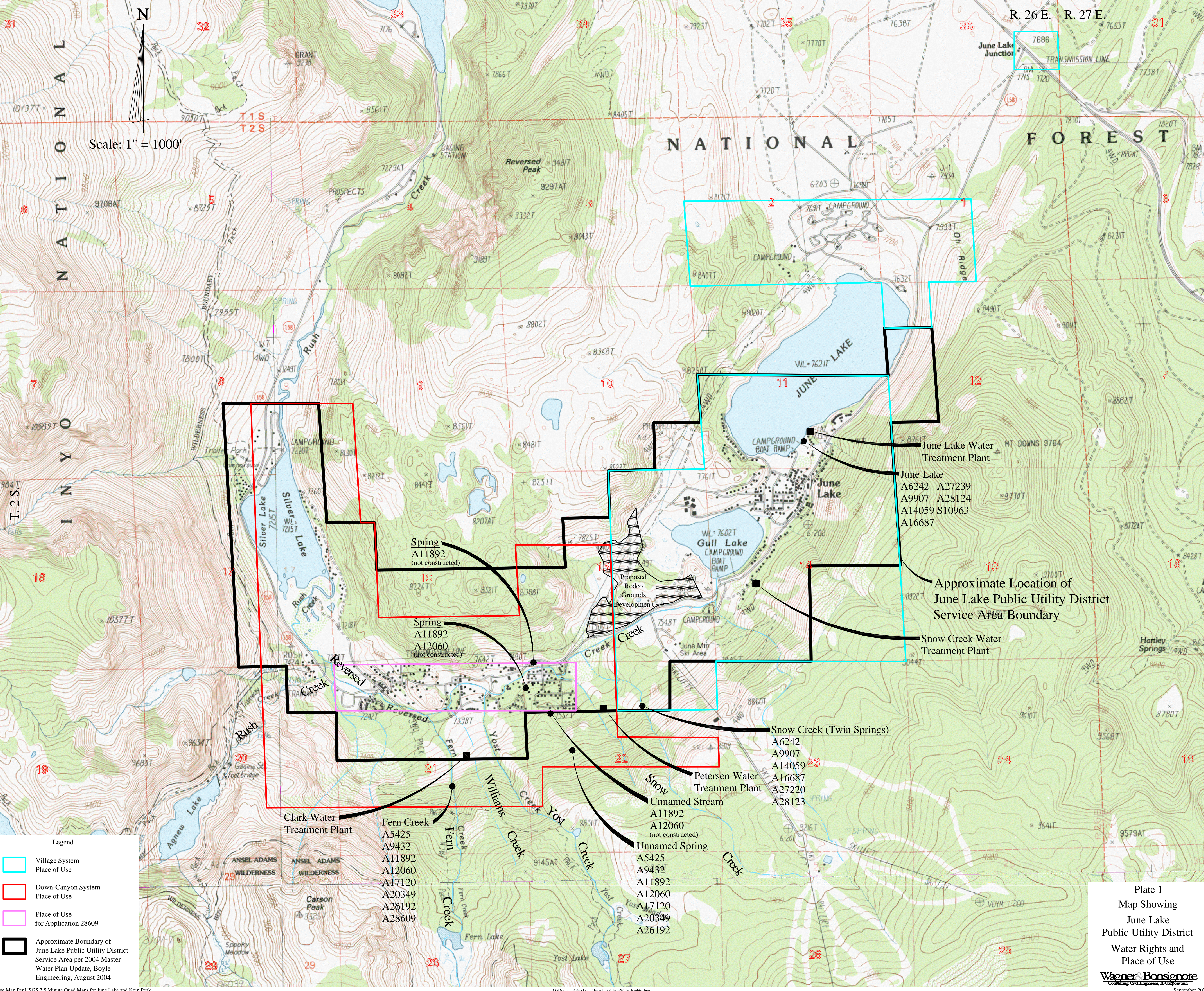
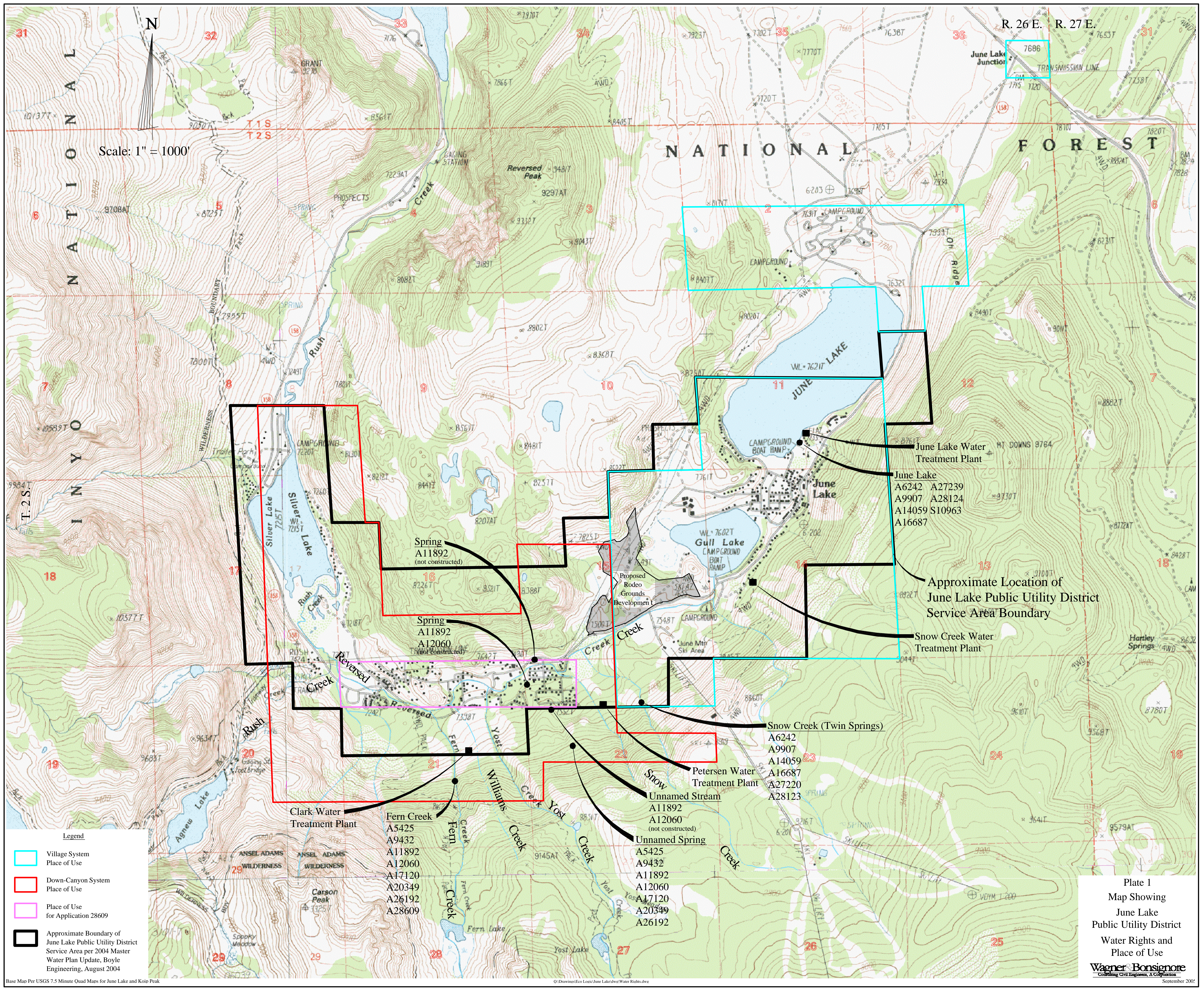
Application #	Permit / License	Priority Date	Name	Source	Direct Diversion Rate	Diversion Season	No. of Days for Diversion	Total Direct Diversion Amount (acre-feet)	Purpose
A026192	P018199	1/31/80	June Lake PUD Expires 12-31-08	Unnamed Sp. trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	0.03 cfs	1/1 - 12/31	365	21.7 ²	Dom, Muni
Subtotal								215.2 af	
A028609 ⁴	Pending Approval		June Lake PUD	Unnamed Sp. trib to Reversed Cr. Fern Cr. trib to Reversed Cr.	0.3 cfs	1/1 - 12/31	365	150.00 ²	Muni
Total if Application 28609 Approved								365.2 af ²	

⁽¹⁾ Information obtained from State Water Resources Control Board files for referenced rights.

⁽²⁾ Upon issuance of a Permit to Application 28609, the average water use from January 1 - December 31 under Applications 5425, 9432, 11892, 12060, 17120, 20349, 26192 and 28609 cannot exceed 65 gpd/capita based on current Agreement with Los Angeles Department of Water and Power.

⁽³⁾ JLPUD filed a Petition for Extension of Time with the State Water Resources Control Board on December 23, 2005.

⁽⁴⁾ The Place of Use under Application 28609 covers only a portion of the Down-Canyon Water Service Area (see Plate I).



- Legend**
- Village System Place of Use
 - Down-Canyon System Place of Use
 - Place of Use for Application 28609
 - Approximate Boundary of June Lake Public Utility District Service Area per 2004 Master Water Plan Update, Boyle Engineering, August 2004

Spring
A11892
(not constructed)

Spring
A11892
A12060
(not constructed)

Clark Water
Treatment Plant

Fern Creek
A5425
A9432
A11892
A12060
A17120
A20349
A26192
A28609

Unnamed Stream
A11892
A12060
(not constructed)

Unnamed Spring
A5425
A9432
A11892
A12060
A17120
A20349
A26192

Snow Creek (Twin Springs)
A6242
A9907
A14059
A16687
A27220
A28123

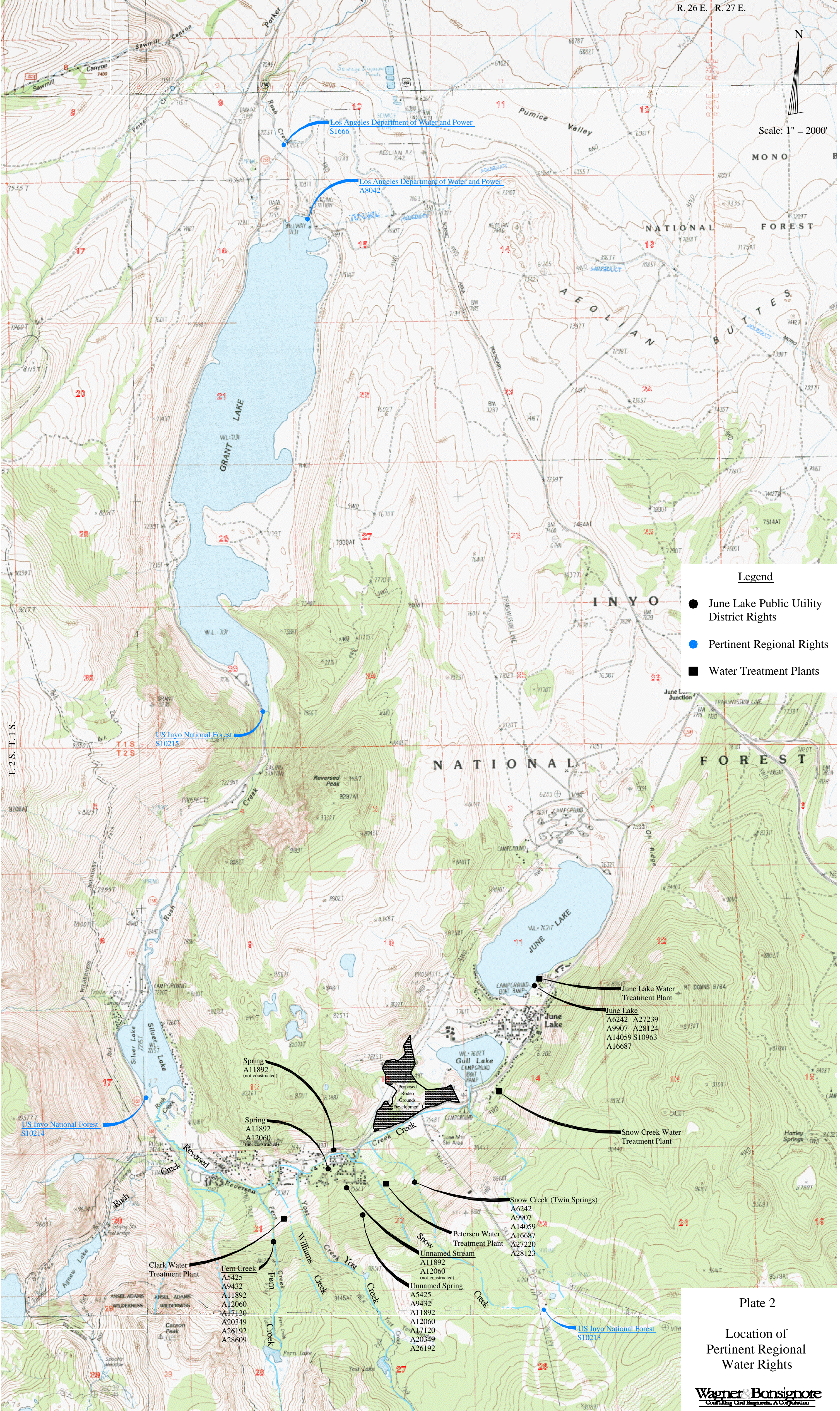
Petersen Water
Treatment Plant

June Lake
A6242 A27239
A9907 A28124
A14059 S10963
A16687

June Lake Water
Treatment Plant

Approximate Location of
June Lake Public Utility District
Service Area Boundary

Snow Creek Water
Treatment Plant



R. 26 E. R. 27 E.



Scale: 1" = 2000'

Legend

- June Lake Public Utility District Rights
- Pertinent Regional Rights
- Water Treatment Plants

Plate 2

Location of
Pertinent Regional
Water Rights

Wagner & Bonsignore
Consulting Civil Engineers, A Corporation